

## **ORDINANCE 2021-22**

### **AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA, AMENDING TITLE VII, OF THE CODE OF ORDINANCES OF WARRICK COUNTY, INDIANA**

**WHEREAS**, Ind. Code 36-9-2, *et seq.*, authorizes the Board of Commissioners of Warrick County to regulate the use of public ways;

**WHEREAS**, Section 70.05 of the Code of Ordinances of Warrick County sets forth the weight restrictions for operating vehicles on or across Warrick County highways;

**WHEREAS**, the Board of Commissioners of Warrick County desires to amend Section 70.05 to require the existence of an executed road usage agreement in order for the operator of a vehicle weighing twelve (12) tons or more to operate said vehicle on any non-commercial County roadways;

**WHEREAS**, the Board of Commissioners of Warrick County desires to set forth the requirements and fees associated with applying for, or entering into, a road usage agreement with Warrick County;

**WHEREAS**, the Board of Commissioners of Warrick County also desires to amend Chapter 70 for purposes of clarifying that, notwithstanding the existence of a validly issued permit or executed road usage agreement, no person shall operate a vehicle on any County roadway, highway, or bridge in such manner so as to cause damage to such County roadway, highway, or bridge;

**WHEREAS**, Chapter 72, Schedule II of the Code of Ordinances of Warrick County sets forth restrictions on the weight of vehicles that may be operated on certain Warrick County roadways;

**WHEREAS**, the Warrick County Highway Engineer recommends establishing a ten (10) ton weight limit on certain Warrick County roadways as more particularly described below; and

**WHEREAS**, the Board of Commissioners of Warrick County has reviewed the recommendation of the Warrick County Highway Engineer and desires to amend Chapter 72, Schedule II for purposes of establishing a ten (10) weight limit for certain roads as more particularly described below.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA THAT:**

**Title VII of the Code of Ordinances of Warrick County, Indiana, is hereby amended as follows:**

#### **CHAPTER 70:       TRAFFIC CODE**

#### **§ 70.05       WEIGHT RESTRICTIONS**

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- (A) No vehicle with a gross weight in excess of ten (10) tons or twenty thousand (20,000) pounds shall be operated on or across any County highway which has been posted as to said weight restriction without the express permit of the Board of Commissioners.
- (B) Notwithstanding the foregoing, no person shall operate vehicle with a gross weight of twelve (12) tons or twenty-four thousand (24,000) pounds on any non-commercial County highway, regardless of any posted weight restriction or limit, without first entering into a road usage agreement with the Board of Commissioners authorizing such operation and use.
- (C) This § 70.05 shall not apply to fire trucks, ambulances, school busses, or emergency vehicles.

Penalty, see § 70.099

### **§ 70.06 ROAD USAGE AGREEMENTS**

- (A) When required by this Chapter 70, and as otherwise may be required by the Board of Commissioners and/or the Warrick County Highway Engineer, no person shall drive, operate, or move a vehicle upon or over any County road, highway, or bridge without first entering into a road usage agreement with the Board of Commissioners authorizing such operation and use.
- (B) In the event a road usage agreement is required under this Chapter 70, and in addition to any other payments or fees provided for in such agreement, the person or operator entering into such road usage agreement with the Board of Commissioners shall pay a fee in the amount of Two Hundred Fifty and 00/100 Dollars (\$250.00).

### **§ 70.07 REPETITIVE HAULING**

- (A) No person shall repetitively drive, operate, haul, or move upon or over any County road, highway, or bridge any vehicle or object in such a manner so as to cause damage to such road, highway, or bridge. For purposes of this Chapter 70, what constitutes “repetitive driving, operating, hauling, or moving of a vehicle” shall be determined by the Warrick County Engineer, in his or her sole and absolute discretion.
- (B) Any person who causes damage to a County road, highway, or bridge as a result of repetitive driving, operating, hauling, or moving of a vehicle as described in § 70.07(A) shall be responsible for any and all costs necessary to repair and/or replace the damage to such road, highway, or bridge.



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- (C) In the event a person causes damage to a County road, highway, or bridge as described in § 70.07(A), above, the existence of a validly executed road usage agreement between said person and Warrick County shall be no defense to any action or claim brought against said person.
- (D) Any payments, costs, or fees provided under this § 70.07 shall be in addition to, and in no way in lieu or substitution of, any fines or penalties authorized to be assessed to a person in accordance with § 70.99, below.

### CHAPTER 72: TRAFFIC SCHEDULES

#### SCHEDULE II: WEIGHT RESTRICTIONS

- (A) It shall be unlawful for any person to operate, or move, or for the owner to cause or knowingly permit to be operated on the county highways designated below, any vehicle or combination of vehicles having a total gross weight in excess of ten (10) tons, or twenty thousand pounds (20,000 lbs.).
- (B) When a person is apprehended operating or causing to be operated a vehicle or combination of vehicles on the described highways with a weight in excess of the limitation set out below, the vehicle or combination of vehicles shall be detained until its weight is so reduced to comply with the said limitation. The vehicle or combination of vehicles shall, while detained, be kept in the custody of a law enforcement officer and shall be moved only as directed by the officer having custody or by direction of the circuit or superior court.

Road Name	From	To
Ashby Lane	Ashby Road	Dead end
Austill Road	Ellis Road	Nickens Road
Baker Road	Jenner Road	Deer Run Court
Barchett Road	State Road 161	County line
Barnett Chapel Road	Stanley Road	Meinert Road
Barren fork Road	Ashby Road	Folsomville Road
Baseline Road	Bridge 221	Bridge 221
Bawel Road	Tennyson Road	Dusty Road
Beardsley Road	Dale Road	Dead end
Bell Road		
Besing Road	State Road 68	Dead end
Bethany church Road	Yankeetown Road	Flemming Road
Boner Road	Red brush Road	Dead end

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Bracher Road	Decker Road	Dead end
Brooks Road	Dale Road	Lincoln Trail Road
Brown Chapel Road	Rockport Road	New Hope Road
Brumley Road	Sharon Road	Lincoln Avenue
Brush creek Road	Leslie Road	Taylorville Road
Bullocktown Road	New Hope Road	Rockport Road
Bullocktown Road	County line	New Hope Road
Bussing Road	New Hope Road	Dead end
Byers Road	State Road 161	Simpson Road
Cardinal Lane	Brown chapel Road	Dead end
Carey Road	Jenkinsville Road	Tennyson Road
Castle Garden Road	Jenner Road	Gardner Road (cha)
Center Road	State Road 261	Dead end (south)
Center Road	State Road 261	State Road 62
Chinn Road	Yellow Banks Trail	County line
Clutter Road	Putnam Lane	Humphrey Road
Coles Creek Road	State Road 68	County line
Coles Creek Road	Jockey Road	Ebenezer Road
Dale Road	State Road 161	County line
Darlington Road	Old State Road 66	Frontage Road Alcoa
Decker Road	State Road 62	Rockport Road
Deer run Court	Baker Road	Dead end
Degonia Road	Boonville	Otter Creek
Dickyville Road	State Road 61	Ashby Road
Doerner Road	Petersburg Road	County line
Dusty Road	Bawel Road	Two story Road
Eames Station Road	State Road 62	Phillips Road
Eames Station Road	Lincoln trail Road (dead end)	Hadley Road
Easley Road	State Road 161	Robinson Road
Ebenezer Road	Scales Road	Coles Creek Road
Eble Road	Boner Road	Pigeon Valley Road
Eby Road	Hart Road	Folsomville Road
Elberfeld Road	Susott Road	St. Johns Road
Ellerbusch Road	State Road 662 (new)	Willow Pond Road
Ellis Road	Austill Road	Dead end
Elpers Road	Dale Road	Dead end
Epworth Road	State Road 662	State Road 66
Eskew Road	State Road 61	Boonville city limits
Farley Road	State Street	Edwards Road
Fehd Road	Fisherville Road	New Harmony Road
Flemming Road	Pelzer Road	Pigeon Valley Road



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Folsomville Degonia Road - Franz Road - Shelton Road (County Road E. 300, N. 400, E. 400)	From Degonia	To Folsomville
Folsomville Road	Eby Road	State Road 68
Folsomville Road	Boonville city limits north	Old State Highway 68
Forest Lake Drive	Polk Road	Johnson Road
Fox Chase Court	York Drive	Dead end
Franz Road	Shelton Road	State Road 62
Friendship Road	State Road 68	Dead end
Frog Pond Road	State Road 62	Tennyson Road
Fuquay Road	County Road 50 south	State Route 261
Fuquay Road		
Gander Road	New Harmony Road	Gander cemetery Road
Gardner Road		
Gemlich Road	Pelzer Road	Bullocktown Road
Gentry Road	Ashby Road	Ellis Road
German Church Road	State Road 61	Schmidt Road (Pike)
Geyer Road	Rockport Road	Two Story Road
Geyer Road	Two Story Road	Decker Road
Geyer Road	Decker Road	Dead end
Geyer Road	State Road 161	Dead end
Godeke Road	Trautvetter Road	Schultz Road
Gore Road	Clutter Road	State Road 61
Greenbriar Road	State Road 61	Mottley Road
Hadley Road	State Road 161	Hunt trail Road
Hart-moss Road	Folsomville-Degonia Road	Kelly Road
Hachmeister Road (county Road E. 150)	Degonia Road	Tennyson Road
Heim Road	Stevenson Station - Elberfeld Road	Vanderburgh county line
Heritage Drive	State Road 66	Martin Road
Hewins Road	McCool Road	Edwards Road
Hidden Trail Court	Dead end	Dead end
Hidden Trail Drive	Crowville Road	Hidden Trail Court
Hiible Road	Tennyson Road	Phillips Road
Hills Road	Yankeetown Road	Dead end
Hills Access Road	Hills Road	State Road 66
Hoffman Road	Vann Road	Wethers Road
Holder Hill Road	State Road 61	Lilly Pad Road
Holland Road	State Road 68	County line
Honeysuckle Drive	Johnson Road	Forest Lake Drive

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Humphrey Road	Clutter Road	Dead end
Hunt Trail Road	Taylorville Road	Hadley Road
Inderreiden Road	From County Road N. 400 south	State Route 62
Jenkinsville Road	Two Story Road	Smith Road
Jenner Road	Baker Road	State Road 61
Jessica Lane	Seiler Road	Dead end
Jockey Road	Folsomville Road	Taylorville Road
Johnson Road	Two Story Road	Folsomville Road
Kaiser Road	State Road 61	Yankeetown Road
Kansas Road	From Stevenson Station – Elberfeld Road	Vanderburgh county line
Kayelea Way	Seiler Road	Dead end
Kelly Road	State Road 61	Eby Road
Kelly Road	Folsomville Road	Old Kelly Road
Kelly Road	Folsomville Road	Smith Road
Kelly Road	Folsomville Degonia Road	Dead end
Kost Road	Beck Road	Dead end
Lake Shore Drive north	Millersburg Road	Dead end
Lerch Road	Old State Road 66	Red Brush Road
Libbert Road	Telephone Road	Warrick Trail
Lilly Pad Road	Stanley Road	Meinert Road
Lilly Pad Road	State Road 68	Newman Road
Lincoln Avenue		
Lincoln Trail Road	East of State Highway 161	Wire Road (e 800)
Long Lake Drive	Forest Lake Drive	Smith Road
Lost Hill Road	Heim Road	Titzer Road
Lost Trail Lane	Eble Road	Dead end
Lynn Road	Eby Road	Rice School Road
Madden Road	Turpin Hill Road	Holder Hill Road
Manger Road	0.10 miles west of Pigeon Valley Road	Dead end
Marshall Road	Taylorville Road	State Road 68
Martin Road	Lincoln Avenue	Sharon Road
Marx Road	Stanley Road	Peckinpaw Road
Marx Road	Newman Road	Dead end
Maurer Road	State Road 62	Old Tennyson Road
Maxville Road	State Road 161	Winsett Road
McClary Road	Taylorville Road	State Road 161
McNeely Road	Scales Road	Folsomville Road
Meadowlark Hill Road	Stevenson Station Road	Dead end
Meinert Road	Lilly Pad Road	Weyerbacher Road



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Metzger Road	Rockport Road	Bracher Road
Miller Cemetery Road	State Street	Weyerbacher Road
Miller Road	Dale Road	Sycamore Corner Road
Millersburgh Road	Boonville	Decker Road
Mt Pleasant Road	Davidson Road	Weibe Road
Myers Road	Pigeon Valley Road	Bullocktown Road
New Harmony Road	Millersburgh Road	Vanderburgh County line
New Harmony Road	From Millersburgh west to County Road W. 1050 (Putler School Road) thence south on County Road 1050 to County Road N. 250 (Kansas Road), thence east on County Road N. 250 to County Road W. 1025 (Stevenson Station Road), thence south on County Road W. 1025 to County Road N. 150	
New Hope Road	Lashbrook Road	Dead end
Newman Road	Besing Road	Dead end
Nickens Road	Folsomville Road	Kelly Road
Nobles Chapel Road	North Road	Dead end
North Line Road	State Road 68	County line
North Road	Elberfeld	State Road 68
Oak Grove Road		
Oak Tree Drive	Center Road	Dead end
Old Plank Road		
Old State Road 66	Yankeetown Road	County limits
Old Tennyson Road	Boonville	Folsomville Degonia Road
Old Yankeetown highway (W. 200)		
Parklane Drive	Tennyson Road	Degonia Road
Peckinpaw Road	Marx Road	Lilly Pad Road
Pelzer Road	Maple Grove Road	New Hope Road
Penila Drive	Bethany Church Road	Dead end
Perdido Road	New Harmony Road	Fisherville Road
Petersburg Road	Somerville Road	Schmidt Road (pike)
Phillips-Hible Road (County Road N. 475)	Folsomville Road	State Road 161
Pigeon Switch Road	Wire Road	County line
Pigeon Valley Road	Eble Road	New Hope Road

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Polk Road	Jenkinsville Road	Folsomville Road
Pollack Avenue (S. 600, W. 975)		
Red Brush Road (S. 650)		
Robinson Road	Easley Road	State Road 161
Rockport Road	Pelzer Road	Metz Road
Roth Road	State Road 62	Degonia Road
Rudolph Road (S 75)	Yankeetown Road	State Highway 61
Russel Road	Gardner Road	Old Plank Road
Sawmill Road	State Road 68	County line
Scales Road	The portion in Boonville located south of the intersection of Scales Road and Barren Fork Road	
Schultz Road	Godeke Road	Ditney Hill Road
Schultz Road	Ditney Hill Road	Seven Hills Road
Seiler Road	Red Brush Road	Eble Road
Selvin Road	County line	Ash Street
Selvin Cemetery Road	State Road 68	Selvin Road
Seven Hills Road	County line	Lilly Pad Road
Sharon Road	State Road 61	Anderson Road
Shelton Road (County Road N. 400)	Folsomville Road	Smith Road
Simpson Road	Hadley Road	Byers Road
Skelton Road	Tennyson Road	Lincoln Trail Road
Smith Road	Tennyson Road	Folsomville Road
Somerville Road	German Church Road	County line
Spring Lake Drive	Edwards Road	Lake Shore Drive north
Spurgeon Road (County Road N. 1200, W. 225, N. 1225, W. 200)	State Road 68	State Road 61
Square Deal Mine Road	Old State Road 61	Crowville Road
Squaw Creek Road	Millersburg Road	State Road 62
Stanley Road	Elberfeld city limits	Weyerbacher Road
State Road 61	From the intersection of State Road 61 and Sheldon Road	Southerly to the corporate limits of the city of Boonville, approximately 1.57 miles
State Street	Miller Cemetery Road	Millersburgh Road



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Stevenson Station- Elberfeld Road (County Road W. 1025, N. 75, W. 1075, W. 1100, N. 450, W. 1125, N. 625, W. 1100)	Heim Road	Elberfeld
Stone Road	Beardsley Road	State Road 161
Susott Road	Seven Hills Road	Stanley Road
Tanglewood Drive	Telephone Road	Sandalwood Drive
Taylorville Road	McClary Road	Marshall Road
Tecumseh Road	State Road 61	Eby Road
Telephone Road (S. 200)		
Trails End Road	Baker Road	Dead end
Tuley Road	Dale Road	Stone Road
Turpin Hill Road	Weyerbacher Road	State Road 61
Turtle Bay Road	Bethany Church Road	Dead end
Twin Lakes Drive	Welte Road	Fisherville Road
Two Story Road	Metzger Road	Johnson Road
Vann Road	Casey Road	Anderson Road
Vincennes Road	Yellow Banks Trail	County line
Warner Road	Red Brush Road	Sharon Road
Warrickton Road	Tow Path Road	Inderrieden Road
Weibe Road	Mt Pleasant Road	State Road 68
Welte Road	Twin Lakes Drive	Asbury Cemetery Road
West Baughs Drive	Baugh Drive	Dead end
Weyerbacher Road	Miller Cemetery Road	County line
Wheatonville Road	County line	Dead end
Willow Pond Drive	Grimm Road	Frame Road
Wilzbacher Road	Millersburgh Road	Dead end
Wire Road	Phillips Road	Lincoln Trail Road
Yankeetown Road	From the intersection of said highway with the city limits of Boonville to and including the intersection of said highway with Indiana State Highway 68	
Yellow Banks trail	From its intersection with County Road N. 1300 north to the Pike county line which Road is part of the Road commonly called Yellow Banks Road	
York Drive	Center Road	Dead end

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Zoar Church Road	Kansas Road	Gander Road
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- (C) Any person who violates this schedule shall be fined in an amount not to exceed \$2,500 per occurrence.
- (D) Farm machinery and grain transport vehicles are exempted from the 20,000 pounds weight limit restriction limited to that portion of Epworth Road north of S.R. 66 and to its intersection with S.R. 62.

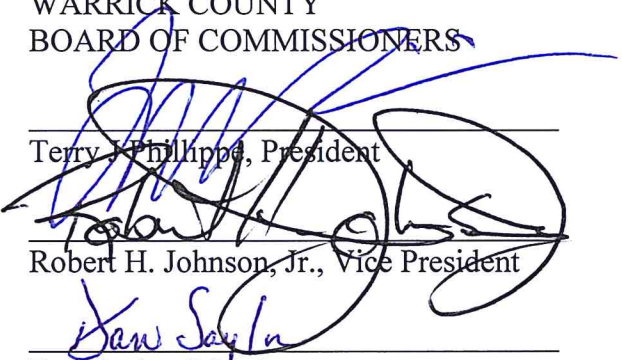
This Ordinance shall be effective upon passage.

**Passed and adopted by the Board of Commissioners of Warrick County, Indiana, this 24<sup>th</sup> day of May, 2021.**

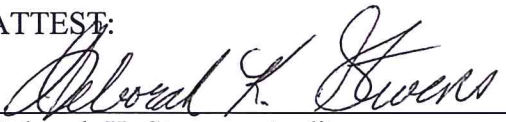
WARRICK COUNTY  
BOARD OF COMMISSIONERS

  
Terry J. Phillippe, President

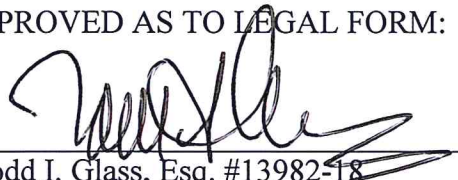
  
Robert H. Johnson, Jr., Vice President

  
Dan Saylor, Member

ATTEST:

  
Deborah K. Stevens, Auditor  
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:

  
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